

MINUTES OF A MEETING OF SAUGHALL AND SHOTWICK PARK PARISH  
COUNCIL held on 1 March 2004 at the Vernon Institute, Saughall

In attendance: Councillor A Bailey (in the Chair)  
Councillor Mrs P Humphrey  
Councillor Mrs J Johnson  
Councillor B Kerr  
Councillor Mrs JE Storrar  
Councillor RA Storrar  
Councillor A Warrington  
Councillor C Wynne-Eyton (Tree Warden)  
Councillor Mrs J Young

Mr C McIlwrick, Homewatch Co-ordinator

41 APOLOGIES FOR ABSENCE

Apologies were received from:

Councillor A Marsden  
Councillor C Moss  
Councillor R Shukla  
Councillor Mrs D Whitton  
Councillor Mrs M Wynne-Eyton  
County Councillor D Rowlands

42 COUNCILLOR C MOSS

The Council were informed that Councillor Moss was very poorly and had been taken back into hospital.

43 CODE OF CONDUCT – DECLARATIONS OF INTEREST

Councillor B Kerr declared an Interest in any matter that involved the Cheshire Community Council. He was its Chairman.

44 MINUTES

RESOLVED:

That the Minutes of the meeting of the Council held on 2 February 2004 be confirmed as a correct record, subject to it being noted that Minute No 36(b)(i) Gowy North Area Committee Meeting had received a report on speed monitoring equipment not on a speed camera.

45 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the Minutes not already listed on the agenda.

46 ACCOUNTS

(a) Payments made since the meeting of the Council held on 2 February 2004:

Financial Year 2003/2004	£	Cheque No
Cheshire Community Council (Parish Plan work)	283.33	101678
Mr B Ebbrell (Bus shelter repairs and work at Terminus)	710.88	101679
Mrs S Hudspeth (Exp)	104.40	101680
Mrs S Hudspeth (Sal)	540.69	101681
Cheshire Community Council (Annual Subscription)	55.00	101682

(b) Receipts

Interest to 21 February 2004 (14 Day Account)	29.08
Interest to 23 February 2004 (Treasurer Account)	0.24
Uniform Groups' Annual Rent 2003/2004	12.00

47 POLICE/HOMEWATCH

(a) Police

RESOLVED:

That as PC Fisher was not in attendance at the meeting the police report be deferred until the next meeting of the Council.

(b) Homewatch

Mr C McIlwrick informed that he had tried to generate interest and support in the Saughall Homewatch. He had been met with apathy, despite his best endeavours. Consequently, he was resigning as Chairman of the Homewatch.

If anyone wished to take on the role of Homewatch Chairman Mr McIlwrick informed that he would provide all the support he could, as long as he was in the village.

The Council was openly supportive of the Homewatch and Members thanked Mr McIlwrick for the hard work he had put in in an attempt to make the Homewatch a success. He would be missed.

(c) Bus Shelters

Councillor B Kerr reported on the state of the bus shelter on Church Road. It was in need of cleaning.

It was also reported that the light was out in the bus shelter at the end of the Ridings. Also, someone had set a fire in the bus shelter on Meadows Lane.

Members believed that if the Council provided a Youth Shelter in the village it would be subject to vandalism and be in a similar state to the bus shelters.

RESOLVED:

That the condition of the bus shelters be reported to Cheshire County Council's Transport Co-ordination Department.

48 MINUTES OF COMMITTEES

(a) Planning Committee

RESOLVED:

That the Minutes of the meeting of the Planning Committee held on 2 February 2004 be confirmed as a correct record.

(b) Finance and General Purposes Committee

Minute No 6 – Proposed Affordable Housing in Saughall

Since the meeting of the Committee the Clerk had asked the County Property Officer to consult his Members on the proposal to sell a parcel of County Council land to Arena so that it could build affordable housing on it. The aim was to get agreement to sell the land in principle, so that when Arena was in funds the Scheme could go ahead.

The County Property Officer agreed to the request and a report was considered at the County Farms Panel meeting on 23 February 2004 where it was recommended to approve the sale of the land in principle, subject to Arena coming up with an acceptable Scheme that it could fund. The Portfolio Holder subsequently had endorsed the recommendation giving the County Property Officer delegated authority to approve the final deal.

Minute No 9 – Review of the Council's Committee Structure

The Chairman of the Planning Committee, Councillor Mrs J Young, requested that the number of Members on the Committee, in the next Municipal Year, be increased. There were only five Members on it currently and there had been difficulties ensuring that meetings were quorate.

Members also suggested that the recommendation that Parish Council Surgeries be held monthly with an Awareness raising Event held every quarter, in the next Municipal Year, be reviewed after six months.

RESOLVED: That

- (1) the Minutes of the meeting of the Finance and General Purposes Committee held on 12 February 2004 be confirmed as a correct record and the recommendations therein be agreed;
- (2) the "in principle" decision of the County Council to sell the land in question, subject to Arena coming forward with an appropriate scheme and adequate funding, be noted;

(3) the number of Members of the Planning Committee be increased in the next Municipal Year; and

(4) the arrangements for Parish Council Surgeries in the next Municipal Year be trialled for a 6 month period.

(c) Environment and Highways Committee

RESOLVED:

That the Minutes of the Environment and Highways Committee held on 29 January and 26 February 2004 be confirmed a correct record.

49 PROPOSED EVENING AND SUNDAY BUS CUTS BY CHESHIRE COUNTY COUNCIL

The Council noted the contents of a letter sent by the Clerk to the County Transport Co-ordinator as the Council's response to the proposal to reduce the supported bus services.

Councillor Kerr reported that the County Council had reduced its budget for bus subsidies by approximately £200,000. A meeting was to be held the following week so that the County Council could decide which services to cut.

It was noted that the County Council had been surprised by the response to its proposed cuts and lack of consultation.

RESOLVED:

That the contents of the letter be noted and the final decision be awaited.

50 LOCAL GOVERNMENT REVIEW OF TWO TIER AREAS IN THE NORTH WEST

The Council noted the contents of a letter sent by the Clerk setting out the Council's response to the consultation. The Council's preference was as follows:

- First preference – A Countywide Unitary Authority based on Cheshire
- Second preference – Two Unitary Authorities, East and West Cheshire
- Third preference – Three Unitary Authorities, East, Mid and West Cheshire

It was reported that even if there was a "no vote" for a Regional Government in the Autumn of 2004, it was still expected that the Boundary Committee for England would put a new Local Government unitary structure in place.

RESOLVED:

That the detail of the letter be noted.

## 51 PLANNING APPLICATIONS THAT ADJOIN THE PARISH BOUNDARY

Flintshire County Council (as a Planning Authority) had consulted Chester City Council (as a neighbour Authority) over a planning application just over Chester City Council's border. The application was in fact just outside of Saughall. Unfortunately, Chester City Council had not chosen to inform the Parish Council about the planning proposal and so it had not had the opportunity to comment on a development that would impact on Saughall and possibly increase the traffic through the village.

The Clerk had written to the Planning Officer at Chester City Council who had been responsible for responding to Flintshire's consultation to ask why she had not told the Parish Council about the proposed development. The Planning Officer had responded informing that the onus was on the actual Planning Authority (i.e. Flintshire County Council) to carry out consultations.

As the response was unsatisfactory, the Clerk had written again to the Planning Officer informing her that she had not explained why she had chosen not to inform the Parish Council or ask its views before she formulated her response.

Consequently, Chester City Council's Development Co-ordination Manager had written to Councillor RA Storrar (and sent a copy to the Clerk) on 9 February 2004. He informed that the issues raised highlighted a number of concerns over the way in which applications that adjoin Chester's boundary were dealt with.

The legal position was that under Schedule 1 of the Town and Country Planning Act 1990 and Article 13 of the Town and Country Planning (General Development Procedure) Order 1995, any Local Authority that has the function for determining planning applications, if requested to do so by the Council of any Parish situated in its area, would notify the Council of any relevant planning application or any amendments to an application that relates to land within the Parish.

The regulations did not appear to take account of cross boundary issues. There was no legal obligation for any local planning authority to notify any Parish or Community Council outside of its area of any applications that might have an effect on them or their residents.

A local Planning Authority was required to notify a neighbouring District Council of any applications that might affect the land in the District and this was the case here. However, Chester City Council was only a consultee and the regulations did not seem to make any provision for informing either Parish Council or residents in the area. This did seem to be a weakness in the statutory consultation procedure that could potentially disadvantage local people.

It had not been the practice in the past for the City Council to inform Parish Councils or residents or for that matter Ward Members of any planning notifications from neighbouring authorities but the Development Co-ordination Manager agreed to give some thought to how this might be overcome as clearly Chester residents were not being well served by the present arrangements. He agreed that at least a protocol should be devised to ensure that Parish Councils and residents could at least be made aware of any applications outside the District boundary that might affect them

RESOLVED:

That the report be noted.

52 POST OF ASSISTANT CLERK TO THE COUNCIL

The Council wished to obtain Quality Parish Council status. This would bring with it additional responsibilities and would involve the Clerk in additional work and also whilst she completed her portfolio. However, she had no more time to spare as she also had a full time job with a Principal Authority. The Parish Council was engaged on an number of initiatives and activities and the work would increase further once it obtained planning consent to develop the Golden Jubilee Park.

When the Council had set its budget in respect of the financial year 2004/05 it had given consideration to providing funding to employ a part-time official to assist the Clerk. This had been agreed in principle and an additional £1,000 had been put in the budget for this purpose.

The Chairman proposed that an Assistant Clerk could work 3 hours per week and could attend some of the smaller meetings and have responsibility for the newsletter that would have to be published four times per year under the Quality Parish Council initiative.

RESOLVED:

That the Finance and General Purposes Committee be requested to work up the detail in respect of the post of Assistant Clerk and bring a recommendation to the Council in due course.

53 GOLDEN JUBILEE PARK DEVELOPMENT

(a) Golden Jubilee Park Focus Group

The Council received the Minutes of the Golden Jubilee Park Focus Group meetings held on 5 and 26 February 2004 and noted their content. The Focus Group had recommended that Mr Derek Bird be appointed Project Manager for the development.

(b) Golden Jubilee Park Funding

A Business Plan must be drawn up to aid applications for grant aid. A lot of work had gone into this and the Plan was almost complete.

Mr Parry was now in the process of preparing bids for funding.

(c) Proposal to Establish a Charitable Trust

Mr Parry made a presentation to the Council on the merits of establishing a Charitable Trust as this approach would open up funding opportunities not available to a Parish Council. He informed that an Unincorporated Association was the best option and its set up costs would be modest.

Members noted however that the Parish Council was able to claim the VAT back from any payments it made whilst a Trust would have to pay VAT at 17.5% and was unable to recover it.

As the costs involved with the proposed Trust may outweigh the advantages of setting one up the Council agreed to obtain legal advice through the National Association of Local Councils on the best way to proceed.

(d) Awareness Raising Event- 21 February 2004  
- Progress on the Planning Application and Site Layout

Mr Bird informed of progress with the revised site layout following the very successful Awareness Raising Event and a meeting with PC Chris Burnham to consider car parking and access.

The layout had been revised taking into account comments received from residents, the police and the Highway Authority. A ball park fence would be erected at the top of the field beside the two ponds and the overspill car park would be accommodated on-site.

The amended site layout would now be submitted and it was hoped that the Council's planning application would be considered by Chester City Council's Planning Board at its meeting in April 2004.

(e) Tenders

It was noted that the Clerk had written to the three contractors concerned confirming that their offers would remain open for a further 26 weeks, in accordance with the tender requirements.

(f) Willow Nook Housing Development

The Clerk had requested that Gleeson Homes provide a financial contribution toward the development of the Golden Jubilee Park as the facility would be available to those who would live in the houses currently being built just over the border in Wales.

Unfortunately, the Managing Director, Mr C Davey, had responded informing that with regret he was unable to offer any contribution towards the recreational facilities.

The new houses were being advertised as Saughall, Flintshire and as this was a misrepresentation it was agreed to bring it to the attention of Cheshire County Council's Trading Standards Officer.

RESOLVED: That

- (1) the reports be received and necessary actions be taken as outlined above;
- (2) Mr Derek Bird be appointed Project Manager for the Golden Jubilee Park development, but without any remuneration; and

(3) the next meeting of the Golden Jubilee Park Panel be held at 7:30pm on Thursday, 25 March 2004 prior to the Environment and Highways Committee which will be held at the later time of 8:30pm.

54 PARISH PLAN

The Council received the Minutes of the Parish Plan Steering Panel meeting held on 18 February 2004 and noted their content.

Members noted that the survey questionnaires were currently being printed and would be ready for distribution by Members on Saturday, 13 March 2004.

RESOLVED:

That the report be noted.

55 ATTENDANCE AT MEETINGS OF OUTSIDE BODIES

(a) Cheshire Association of Town and Parish Councils  
Quality Parish Council Scheme Conference 6:30-9:30pm on Monday, 29 March 2004 at Byley Village Hall

Councillor B Kerr to represent the Council and report back on the proceedings at the next meeting.

(b) Parish Planning in Action – 10:00am to 4:00pm on 18 March 2004 at the Old Town Hall, Sandbach, Cheshire

Councillor RA Storrar to represent the Council and report back on the proceedings at the next meeting.

RESOLVED:

That the Council's representation at outside events be as detailed above.

56 VERNON INSTITUTE MANAGEMENT COMMITTEE

RESOLVED:

That the Chairman be requested to discuss proposals for the Vernon Institute's refurbishment with the Chairman of the Vernon Institute Management Committee, Mr B Huxley, and bring a report to the next meeting of the Council.

215 PARISH COUNCIL SURGERIES

RESOLVED:

That the Parish Council's Surgeries rota for the next five weeks be as follows:

Date	Member
6 March 2004	Councillor Mrs JE Storrar
13 March 2004	Members in attendance to begin the distribution of the Survey questionnaires in respect of the Parish Plan
20 March 2004	Councillor C Wynne-Eyton
27 March 2004	Councillor Mrs P Humphrey
3 April 2004	Councillor B Kerr

58 COMMUNICATIONS RECEIVED

The following communications had been received, anyone requiring a copy would contact the Clerk.

- letter dated 17 February 2004 from Chester City Council's Principal Planning Officer Mr Mark Dickens asking if any progress had been made to address the issues raised in his letter of 7 November 2003 in respect of proposed change of use from Agricultural Land to Recreational Land at Fiddlers Lane, Saughall.

Response to be submitted with the amended site layout, photographs, covering letter, etc.

- letter dated 16 February 2004 from Mr Stephen Ashton, Rural Outreach Worker, re. A new rural outreach project – creation of a “Volunteering in Rural Areas Database”.

Noted.

- letter dated 12 February 2004 from Mrs V Ellis, Chief Officer, Cheshire Community Council re. Parish Network - initiative to become a member for 2004/05 at a cost of £55.00.

Membership to be renewed for a further year.

- letter dated 24 February 2004 from the Standards Board for England plus a consultation paper on investigation of allegations.

To Finance and General Purposes Committee.

59 CIRCULARS

The following circulars had been received. Any one wishing to see a copy would contact the Clerk.

The Countryside Agency – Vital Village Update Autumn 2003  
Chester City Council’s The Past Uncovered – February 2004  
Chester City Council’s Rural Touring Network –Spring Season 2004  
ROSPA – Children’s Playgrounds Annual Inspections 2004  
Cheshire Training Partnerships – Training Update – January 2004  
Cheshire Community Council – Cauldron Newsletter – Spring 2004  
Chester City Council and Cheshire County Council’s Archives and Local Studies Newsletter  
Leader and Newsletter  
Cheshire Local Authority Support Programme – Newsletter

60 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, the Press and Public be excluded from the meeting for the items of business listed below on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act.

Item	Paragraph
Appointment of Assistant Clerk	7) Financial/Business affairs of a third party.

PART 2 – ITEMS OF A CONFIDENTIAL NATURE DISCUSSED IN THE ABSENCE OF  
THE PRESS AND PUBLIC

61 APPOINTMENT OF ASSISTANT CLERK

The Chairman informed the Council of a recent development that may assist the Council in its search for a part-time Assistant Clerk. A third party would be asked to consider a proposal and if it agreed there could be benefits for the third party and the Parish Council.

RESOLVED:

That the Chairman be requested to take appropriate action and report back to the next meeting of the Council.